

# UNITED STATES DISTRICT COURT

for the  
District of South Carolina

Daniel R. McClain,

*Plaintiff*

v.

Civil Action  
No.

0:15-cv-04516-MBS-PJG

Mr. Lefford Fate, Med. Director; Samuel Soltis, Assc. Dir.; John  
B. Tomarchio, Med. Dir.; Thomas Moore, Med. Dir.; John A.  
Davis, Med. Dir.; Anna Moak, Healthcare Authority, HCA; Janice  
Phillips, Admin. Coord.; Linda Dunlap, Admin. Coord.; Angela  
Hardin, ADA Coord.; Warden Ralph Cothran; Warden Nolan;  
Warden Roberts; Assc. Warden K. Sharp; Assc. Warden  
Bradshaw; Assc. Warden Dean; Dr. Way; Dr. Sharp; Dr. Bennett; )  
Dr. McRee; Dr. Hughes; Dr. Hedgepath; Dr. Paul Drago; Dr. )  
Steen; Dr. Beinor; Dr. Kay; Dr. McCray; Sally Blake, Nurse )  
Practitioner, N.P.; N.P. Salley; N.P. Olsen; N.P. Allen; N.P. )  
Block; H.C.A. Blackwell; H.C.A. Huggins; H.C.A. Pace; Warden )  
Thomas; Dr. Babbs; H.C.A. Sarver; Warden Colie Rushton; )  
Warden Leroy Cartledge; Assc. Warden Kendell; Assc. Warden )  
Lewis; Warden Padula; Dr. Pate; Dr. Kirby; Dr. Neville; Dr.  
McFadden; Dr. Blackwell; Dr. Black; H.C.A. Hodge; Dr. Page;  
Dr. Woods; Dr. Ellison; Dr. Quesik; Warden White; Dr. Valpey;  
Dr. El Shamil; Dr. Michael Kirby; Dr. Herbot; Dr. Alewine; N.P.  
Greco; Dr. Langston; Dr. Leventis; N.P. Barbara McKellar;  
H.C.A. Thomas Boswell; Dir. Holly R. Pisarik; Dir. Adrienne R.  
Youmans; Mark Dorman, Asst. Dep. Dir.; Althea B. Myers, Inv.;  
Dr. James W. Jarvis; Dr. Hanns Brings; Dr. Brennan; Dr. Lucky;  
Dr. Davis; Dir. Cathrine Templeton; Gloria Provost, Director;  
David Tatarsky, General Counsel,

*Defendants*

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the defendant (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.

■ The plaintiff, Daniel R. McClain, shall take nothing of the defendants; Samuel Soltis; John B. Tomarchio; Thomas Moore; John A. Davis; Anna Moak; Janice Phillips; Linda Dunlap; Angela Hardin; Warden Ralph Cothran; Warden Nolan; Warden Roberts; Assc. Warden K. Sharp; Assc. Warden Bradshaw; Assc. Warden Dean; Dr. Way; Dr. Sharp; Dr. Bennett; Dr. McRee; Dr. Hughes; Dr. Hedgepath; Dr. Paul Drago; Dr. Steen; Dr. Beinor; Dr. Kay; Dr. McCray; Sally Blake; N.P. Salley; N.P. Olsen; N.P. Allen; N.P. Block; H.C.A. Blackwell; H.C.A. Huggins; H.C.A. Pace; Warden Thomas; Dr. Babbs; H.C.A. Sarver; Warden Colie Rushton; Warden Leroy Cartledge; Assc. Warden Kendell; Assc. Warden Lewis; Warden Padula; Dr. Pate; Dr. Kirby; Dr. Neville; Dr. McFadden; Dr. Blackwell; Dr. Black; H.C.A. Hodge; Dr. Page; Dr. Woods; Dr. Ellison; Dr. Quesik; Warden White; Dr. Valpey; Dr. El Shamil; Dr. Michael Kirby; Dr. Herbot; Dr. Alewine; N.P. Greco; Dr. Langston; Dr. Leventis; N.P. Barbara McKellar; H.C.A. Thomas Boswell; Dir. Holly R. Pisarik; Dir. Adrienne R. Youmans; Mark Dorman; Althea B. Myers; Dr. James W. Jarvis; Dr. Hanns Brings; Dr. Brennan; Dr. Lucky; Dr. Davis; Dir. Cathrine Templeton; Gloria Provost; David Tatarsky, and this action is dismissed without prejudice.

■ the plaintiff, Daniel R. McClain, shall take nothing of the defendant, Mr. Lefford Fate, and this action is dismissed without prejudice.

This action was (*check one*):

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

■ decided by the Honorable Margaret B. Seymour, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Paige J. Gossett, United States Magistrate Judge, which recommended dismissing the complaint without prejudice as to these defendants.

■ decided by the Court, the Honorable Margaret B. Seymour, United States District Judge, presiding, dismissing the action without prejudice for failure to prosecute pursuant to Rule 41(b) as to defendant Fate.

Date: February 10, 2016

*ROBIN L. BLUME, CLERK OF COURT*

s/M. Walker

---

*Signature of Clerk or Deputy Clerk*